

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF MISSISSIPPI  
GREENVILLE DIVISION**

FRED SCHUCK

PLAINTIFF

VS.

CASE NO. 4:03CV364-SA-JAD

DR. JOHN BEARRY, ET AL

DEFENDANTS

**ORDER DISMISSING ACTION  
BY REASON OF SETTLEMENT**

The court has been advised by counsel that this action has been settled, or is in the process of being settled. Therefore, it is not necessary that the action remain upon the calendar of the court.

**IT IS HEREBY ORDERED** that this action be dismissed without prejudice. The court retains complete jurisdiction to vacate this order and to reopen the action upon cause shown that settlement has not been completed and further litigation is necessary.

This the 8th day of December, 2008.

/S/ Sharion Aycock

U. S. DISTRICT COURT JUDGE